

# WILL PROBLEMS IN EARLY PRIMARIES AFFECT



# WILL PROBLEMS IN EARLY PRIMARIES AFFECT THE BUCKEYE STATE?

## VOTING IN EARLY PRIMARIES POINTS TO POTENTIAL PROBLEMS IN OHIO

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THE 2008 ELECTION IS HISTORIC IN MANY WAYS, AND voter involvement is expected to be the highest ever seen. On Super Tuesday, according to the Center for the Study of the American Electorate, 12 states saw record turnouts in their Democratic primaries and eleven in their Republican contests. The Chesapeake Primary (Maryland, Virginia, and Washington, DC) also saw exceptionally high turnout. Especially exciting are exit polls in many states that indicate that turnout increased exponentially among historically disenfranchised communities – in some places over 50 percent.

With the increased turnout in the primaries, we have seen increased pressure on our already burdened voting system. High turnout led to long lines at some polling stations, exacerbated by machine failures, too few ballots and too few check-in machines. Poll workers were not prepared to handle so many voters; they were inadequately trained on the use of provisional ballots and machine functions.

During some of the early the 2008 primaries, the Election Protection Coalition mobilized and dispatched trained Election Protection (EP) poll monitors to poll-

ing locations in targeted communities and provided legal support and technical assistance to citizens who experience difficulties voting. To date, EP has recorded more than 2900 incidents.

The problems seen in the early primaries are significant not only because of high numbers of incidents, but because they indicate what we might see in the upcoming Ohio Primary on March 4th. In the past, Ohio has seen its share of election problems. In a report on the 2004 general elections released by People For the American Way Foundation, the NAACP and the Lawyers' Committee for Civil Rights Under Law called "Shattering the Myth: An Initial Snapshot of Voter Disenfranchisement in the 2004 Elections," we reported a variety of voting problems that the EP coalition documented in its Election Incident Reporting System (EIRS), including:

- » Improper requests for and non-uniform acceptance of identification
- » Improper instructions on when to offer a provisional ballot



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- » Long lines due, in part, to poorly trained poll workers, inadequate staffing or machine failures
- » Long-time voters showing up at the polls and finding themselves no longer listed
- » Non-uniform procedures for handling voters who requested, but did not receive absentee ballots
- » Inequitable distribution of voting materials (e.g. ballots or machines)
- » Deceptive practices and intimidation tactics

On Super Tuesday and during the Chesapeake Primaries, voters across the country reported many of the same problems, but the most common issues included:

- » Registration processing and long-time voters showing up at the polls and finding themselves no longer listed
- » Machine failures resulting in long lines
- » Strict voter ID requirements and poll worker confusion about when to ask for ID
- » Inadequate poll worker training and limited re-

sources also resulting in long lines and other problems

This summary provides a snapshot of the types of problems and reports the EP coalition has documented and experienced during this year's primary elections and what we could potentially see in the upcoming Ohio primary. Based on the potential problems that voters could experience in Ohio, People For the American Way Foundation (PFAWF) and other members of the EP coalition will be on the ground providing legal and informational support to voters at the polls.

### PROBLEMS SEEN IN THE EARLY PRIMARIES

#### HIGH VOTER TURNOUT

Most of the 2008 primary election issues relate to the higher-than-expected voter turnout. Missouri, Illinois, New York, New Jersey, Massachusetts, and Arizona all reported record number of Democratic voters—in some cases more than a 47 percent increase over voter turnout in 2006.<sup>1</sup> Virginia saw exceptionally high turnout. Edison Media Research and Mitofsky International, the firm that conducts the National Election Pool exit polls, estimated that 930,000 voters participated in the Virginia primary on February 12, up more than 130 percent from the 396,223 who voted the Virginia Democratic primary in 2004.

In Santa Clara County California, higher-than expected turnout caused shortages in ballots, particularly Democratic ballots.<sup>2</sup> Election officials provided temporary ballots and asked voters to bring and use their sample ballots they had received previously in the mail. Young voter turnout was twice as high in Massachusetts, three times higher in Georgia and four times higher in Tennessee than in the last election.<sup>3</sup>

With the increased voter turnout, problems that would normally be minor inconveniences created major Election Day snarls that were reflected in the hotline calls we received:

- » One voter at the Verde Valley Church of Christ in Camp Verde, Arizona reported that when she went to vote there

were 300 people waiting in line. The voter waited for two and a half hours before being able to vote.

- » Voters in Atlanta, Georgia reported that the number of electronic voter look-up machines were too few to accommodate the large number of voters. When two of the three machines broke down, voters were forced to wait as long as an hour and a half. Many voters left before voting.
- » In DeKalb County, Georgia, the overwhelming number of voters caused bottlenecks at the check-in table where there were too few poll workers and check-in machines. There were eight voting machines, but only two at a time were being used because of the bottlenecks.
- » One polling place in Memphis, Tennessee ran out of ballots due to the large number of voters. Over 100 people waited more than an hour and a half to vote while others had to leave without voting.

#### PROVISIONAL BALLOTING V. EMERGENCY BALLOTS

The Help America Vote Act of 2002 (HAVA) set new nationwide standards intended to protect every American's right to vote. The new rules include the provisional ballot, which voters can use if their eligibility is in doubt. The original intent of these provisional ballots was to guarantee a ballot to all voters at the polls. However,

1. [http://www.democrats.org/a/2008/02/democrats\\_shatt.php](http://www.democrats.org/a/2008/02/democrats_shatt.php)

2. See Press Release: <http://www.paloaltoonline.com/media/reports/1202254053.pdf>

3. See Press Release: <http://www.newvotersproject.org/news-room/releases/news-releases/youth-turnout-up-sharply-in-key-super-tuesday-states>

because HAVA does not specifically require those provisional ballots to be counted, this law gives states wide latitude in determining which, if any, provisional ballots to count, resulting in a vast number of them going uncounted.

In general, provisional ballots will only be counted if they are cast in the correct precinct or polling place. Some states do allow for the counting of a voter's provisional ballot for federal races if cast in the wrong precinct, but this is a rarity. Because HAVA fails to create a uniform system of counting provisional ballots, enormous confusion has been created by inadequately trained election officials and poll workers alike who inappropriately distribute, or sometimes fail to distribute, provisional ballots.

Emergency ballots, on the other hand, are just that: ballots voters can cast in “emergencies,” (i.e. – when voting machines crash or are otherwise unavailable on Election Day). These ballots are meant as a back-up paper option when technology fails. But even emergency ballots are not failsafe. When mass problems require their usage, and supplies are not adequate, the potential arises for poll workers to run out of emergency ballots, causing voters to be left without the ability to cast their ballot. Further, some poll workers and election officials have been improperly treating emergency ballots and provisional ballots in the same manner. This poor training can lead to a delay in counting the ballots of otherwise eligible voters. For example, “emergency voters” who are forced to cast paper ballots when systems fail are not the same as “provisional voters” or subject to after-the-fact investigations of their eligibility as required under HAVA.

During the 2004 election cycle, the EP coalition reported more than a thousand complaints concerning provi-

sional ballots, including widespread confusion over the proper use and counting of provisional ballots because of widely differing regulations from state to state and even from one polling place to the next. Many voters reported that poll workers were either refusing to give out provisional ballots or were simply unaware of the federal requirements to distribute them. Notably, many voters who complained of not being listed on the voter registration list subsequently complained either about not being offered provisional ballots or of not knowing whether these ballots would ultimately be counted.

Unfortunately, in 2008, the confusion over the proper use of provisional ballots and emergency ballots persisted. For example:

- » On Super Tuesday, voters at the Westside Jewish Community Center in Los Angeles, California were turned away because voting machines still had not arrived at the polling place as of 10:45 a.m., more than three hours after the polls opened. Instead of being provided with emergency ballots, voters were simply turned away, while others chose to cast provisional ballots at other local polling places.
- » On Super Tuesday, at John Jay College in New York City, New York, a voter called to report that all the machines at the precinct were broken. Poll workers gave voters provisional ballots rather than emergency ballots. Many voters chose simply not to vote.
- » In Santa Monica, California, a poll worker gave one voter a provisional ballot when it was taking him too long to find her address in the book. When the voter insisted that she wanted a regular ballot, another monitor looked for her name and found it. She was eventually able to vote a regular ballot.

### VOTING MACHINE PROBLEMS

HAVA also requires all states to replace lever and punch card voting equipment with more updated technology and requires each voting precinct to have at least one accessible voting machine system. In 2004, EP received thousands of complaints concerning machines inaccurately recording their choice in various races or not recording their votes at all. In 2006, of the 47.7 percent of EIRS entries that reported voting related problems to EP, nearly 21 percent were from individuals reporting voting equipment problems. Voters in over 35 states reported some type of voting machine related problem.

Common voting machine problems reported to the EP hotline and local command centers throughout the country, including all of our targeted states, in past years include:

- » Broken down machines or missing ballot activator cards that caused late opening of poll places and voters leaving the polls without voting
- » Vote switching/flipping, where voters voted for one candidate but voting machines showed that they voted for a different candidate
- » Incomplete ballot choices showing on voting machines
- » Missing votes or votes not displayed on review screens before voters cast their ballots
- » Machines or devices on machines for voters with disabilities failing to function
- » Machines destroying ballots
- » Poll workers mistakenly giving voters the wrong

ballots or ballot cards for voting machines.

Perhaps the biggest fiasco in 2006 involving voting machines was the congressional race in Sarasota County, Florida, where evidence suggests voting machine errors caused more than 18,000 votes simply to disappear in a congressional race where only 373 votes separated the top two candidates.

In the 2008 primaries, voting machine problems have once again been a source of frustration for many voters. Reports have come in about machines not working properly, ballots being improperly handled or possibly not counted at all or complete malfunction of voting machines at polling places. In a few places, polling places opened late when the machines were not working properly.

The types of problems recorded include:

- » On Super Tuesday, at the Nativity Church in El Monte, California, voters reported all of the Republican ballots were rejected repeatedly. The poll worker placed the rejected Republican ballots in a bucket underneath the table and said they would be counted at a later time.
- » A voter in Barnesville, Maryland arrived at the polls at 7:00am only to discover that none of the machines had working printers and no voters were able to vote at that time. The voter waited until 7:45am and then left to go to work without voting.
- » At Ebenezer Baptist Church in San Francisco, California, the ballot tally machine was not working. Voters were told to leave their ballots and that they would be counted later.
- » At Theater for a New City in New York, New York,

a voter found that the only voting machine for his district was out of order. Voters were directed to a table without privacy to vote on an emergency ballot. Ballots were folded into quarters and placed in a plain cardboard box to be counted later.

## VOTER ID ISSUES

Since the passage of HAVA in 2002, which first introduced federal voter identification requirements, many state legislatures have passed new voter identification rules purporting to help prevent voter fraud. However, study after study has proven that there is no evidence to support the claim that significant voter fraud exists in the United States or that identification requirements would fix such a problem if it were to exist. The Carter-Baker Commission on Federal Election Reform itself acknowledged that “there is no evidence of extensive fraud in U.S. elections or of multiple voting.”<sup>4</sup> In addition, according to a 2005 study by the Ohio League of Women Voters, only four in more than nine million

ballots cast in Ohio in the 2002 and 2004 elections were found to be fraudulent.<sup>5</sup> Furthermore, as explained in PFAWF’s amicus brief in the Supreme Court for the Indiana voter ID cases, *Crawford v. Marion County Election Board* and *Indiana Democratic Party v. Rokita*, voter ID is an unnecessary response to the purported existence of voter impersonation fraud.<sup>6</sup>

On the contrary, there is significant evidence to illustrate one thing that these new voter identification rules have done; they have posed a significant burden to approximately 12 percent of voting-age Americans—primarily voters in typically disenfranchised communities: the poor, racial minorities, senior citizens, and students—who do not have driver’s licenses.<sup>7</sup> Under HAVA, only first-time voters who register by mail are required to show ID before voting, and they can choose from a number of different types of identification. The ID requirements in more than half of the country, however, are significantly more restrictive.<sup>8</sup> Twenty-four states now require all voters to present ID at the polls on Election Day.<sup>9</sup>

4. Jimmy Carter and James Baker, “Building Confidence in U.S. Elections Report of the Commission on Federal Election Reform,” *CFER* Sept. 2005, at 18, available at [http://www.american.edu/ia/cfer/report/full\\_report.pdf](http://www.american.edu/ia/cfer/report/full_report.pdf) (visited Dec. 15, 2006).

5. Ian Urbina, “New Registration Rules Stir Voter Debate in Ohio,” *New York Times*, available at <http://www.nytimes.com/2006/08/06/us/06ohio.html?ex=131251600&en=6090bc7fc7dce139&ei=5088&partner=rssnyt&cemc=rss> (visited Aug. 22, 2006).

6. Brief of Amici Curiae the Brennan Center for Justice; Demos: A Network for Ideas & Action; Lorraine C. Minnite; Projeect Vote; and People For the American Way Foundation in Support of Petitioners, *Crawford v. Marion County Election Board*; *Indiana Democratic Party v. Rokita*, available at <http://moritzlaw.osu.edu/electionlaw/litigation/documents/Rokita-BriefamicuscuriaeofBrennan.pdf>

7. Spencer Overton, “The Carter-Baker ID Card Proposal: Worse Than Georgia,” *Roll Call*, 2005, available at <http://www.carterbakerdissent.com/rollcall.php> (visited Dec. 15, 2006).

8. 19 states require ID for all voters (accepting both photo and non-photo ID), 2 states require all voters to show photo ID, 3 states request all voters how photo ID, and 2 states require ID of all first-time voters, according to Electiononline.org, available at <http://www.electiononline.org/Default.aspx?tabid=364> (visited Dec. 12, 2006).

9. *Id.*

## PROBLEMS SEEN IN THE EARLY PRIMARIES

During the early 2008 primaries, several types of ID-related problems have been reported. For example:

- » Voters in DeKalb and Fulton Counties in Georgia experienced long delays at polling places as the poll workers implemented new voter ID laws that required each voter to be confirmed as eligible to vote by looking them up in an electronic voter registration machine.
- » Poll workers at Westfield Elementary School in Glen Ellyn, Illinois required all voters to show identification. They turned away voters without ID despite information provided by poll watchers indicating that voters do not need to show ID in most cases.
- » Long-time voters at Gospel Temple Baptist Church in Chicago, Illinois were surprised when poll workers required voters to produce ID at the polls. Voters were turned away and not allowed to vote, even though Illinois law does not require anyone other than first time voters to show photo identification.

### VOTER REGISTRATION ISSUES

In the past, we have seen politically-motivated voter purges directed at suppressing the vote of historically disenfranchised communities. In the run-up to the 2004 elections in Florida, People For the American Way Foundation discovered that then-Governor Jeb Bush planned to implement a so-called “purge list,” as he had done in 2000. PFAW Foundation obtained a copy and found voters on the purge list who were, in fact, eligible. Governor Bush later withdrew the purge

list under allegations that, among other things, the list focused primarily on African Americans (more likely to vote Democratic in Florida) and had no Hispanics (more likely to vote Republican in Florida).

While we have not found coordinated efforts to keep people from the voter rolls in the 2008 primaries, we have documented a disconcerting number of voters who were inexplicably removed from the rolls.

Examples include:

- » On Super Tuesday, one Arizona voter in Maricopa County received confirmation from the county that she was registered and even received a sample ballot from the county, but was still unable to vote.
- » On Super Tuesday, a regular voter in Brooklyn, New York discovered her name was not on the voter roll. She and others who voted as recently as 2006 found they were not on the registration list.
- » A voter in Hyattsville, Maryland went to vote in the Democratic Primary and was told that she could not vote because she was not registered as a Democrat, despite being listed as a Democrat on her voter registration card. She was required to cast a provisional ballot.
- » More than 100 long-time Democratic voters at Westside High School in New York, New York were told that they were not on the registration list. Some of the voters were able to vote by affidavit, but others left without voting.



### POLL WORKER TRAINING

Many of the problems at the polls resulted from poll workers' confusion over how to use certain voting machines, the proper distribution of provisional and emergency ballots and other basic voting information, as demonstrated above. In some cases, poll workers were openly partisan and intimidating to voters.

For example:

- » In Los Angeles, California a registered voter asked the poll worker for a Republican ballot. The voter felt intimidated when, in her words, the "poll worker booed and hissed" at her.
- » Poll workers at one polling place in San Francisco, California could not open the polling place on time

because they did not know how to plug in the voting machines and did not know where to find the register of voters. The polling place was understaffed and many voters left before voting.

- » In Santa Monica, a voter complained about a volunteer at her polling location who was rude to Republicans and did not immediately place Republican ballots into the ballot box. In addition, the voter's son, who is registered non-partisan, was encouraged to vote Democrat instead of being given the non-partisan ballot that he requested.
- » In Baltimore, Maryland, poll workers did not have any experience or training on the computer system used to check voters in. It took poll workers fifteen minutes to find one voter's name.

### LOOKING AHEAD TO OHIO

ACCORDING TO A RECENT *WALL STREET JOURNAL* article,<sup>10</sup> Ohio elections are more complex than ever. In Cuyahoga County alone, the epicenter of many problems in the 2004 presidential election, there are 59 separate election jurisdictions, including cities, school districts and other taxing authorities using 4,300 different ballot types, by jurisdiction, precinct and party.<sup>11</sup>

Ohio's new Chief Elections Officer, Secretary of State Jennifer Brunner, ran on a platform of fair, free, open and honest elections in Ohio and has already taken courageous steps to insure integrity in the voting process.

We are encouraged that Secretary Brunner has set up an advisory council to her office's Voting Rights Institute. This group, which includes PFAW's Ohio State Coordinator, Shaun Tucker, was put in place to provide leadership on voting rights issues to the Secretary, as well as to offer a transparent process including Ohio's leading voting rights advocates, election law experts, elections officials, party officials and state legislators. This is a complete turnaround from the past administration, which treated advocates as adversaries.

As part of Secretary Brunner's attempt to reform the voting system in Ohio, she is supporting the recommendations

of the EVEREST Report,<sup>12</sup> which were developed by a team of election reform experts and advocates. Although we may not agree with all of the recommendations from this report, we do agree with the study's conclusion that there are significant risks with Ohio's voting systems.<sup>13</sup>

Despite Secretary Brunner's commendable efforts, based upon our experience from our year-round work in Ohio and recent experiences in the 2008 primaries, we have decided to conduct on-the-ground Election Protection activities in Cuyahoga County, Ohio. The primary issues that we will be monitoring include:

1. Voting machine functionality and availability
2. Voter ID and the use of provisional ballots
3. Deceptive practices and intimidation tactics

### VOTING MACHINE ISSUES

In 2004, Election Protection received numerous reports of voting machine problems from Cuyahoga County, Ohio, resulting in the disenfranchisement of many voters.<sup>14</sup>

For the 2008 elections, Cuyahoga County has switched

10. <http://online.wsj.com/article/SB120364389402984793.html>

11. Cuyahoga County Board of Elections. <http://boe.cuyahogacounty.us/en-US/home.aspx>.

12. <http://www.sos.state.oh.us/sos/info/everest.aspx>

13. <http://media.pfaw.org/PDF/capitolhill/01-09-08-Brunner-Local-and-National-Signatories-Letter.pdf>

14. In 2004, a polling place in Cuyahoga County, Ohio was forced to shut down at 9:25 a.m. on Election Day because no machines were working. Similarly, during Ohio's primary election in May 2006, a polling place did not open until 1:30 p.m., because poll workers did not know how to set up voting equipment. "Cleveland Polling Place Delays Statewide Election Results," Newsnet5.com, May 3, 2006, available at <http://www.newsnet5.com/politics/9144311/detail.html> (visited Dec. 16, 2006).

from the touch screen machines to an entirely paper ballot system. Ballots will be counted at a central location. While this may limit the number of delays and problems seen at the polling place, another concern has arisen, which is the increased potential for overvotes. Because of the use of central count optical scanners instead of precinct count optical scanners, voters do not have the ability to correct ballots they may have filled out incorrectly. In precinct based optical scanners, when a voter fills out her ballot, but accidentally fills in two candidates for the same race or overvotes, the scanner will refuse to record the vote and require the voter to correct her ballot. However, central count optical scanners do not provide this option and, thus, have been shown to lose far more votes. Hence, it is very important that voters are properly informed about how to fill out their ballots before they are cast, and we will be training our volunteers to assist voters at the polls.<sup>15</sup>

## VOTER ID AND PROVISIONAL BALLOTS

In January 2006, the Ohio legislature passed HB 3, which modified the state's election law to include, among

other things, new voter ID requirements. These ID requirements are complicated and vague, and many poll workers do not fully understand them. An example of poll worker confusion occurred during Ohio's August 8, 2006 special election, when poll workers forced voters with valid drivers' licenses to cast provisional ballots because their licenses had old addresses. House Bill 3, however, expressly allows for voters to present drivers' licenses with former addresses to vote by regular ballot, as Ohio does not require its citizens to apply for updated licenses if they move.<sup>16</sup> Consequently, PFAW was able to supplement the EP Voters' Bills of Rights with additional literature specifically aimed at addressing the voter ID requirements to ensure that voters were not deterred from voting. This was extremely effective in giving voters specific, detailed instructions on what they need to bring to the polls in light of the new Ohio voter ID law.

While we believe that Secretary Brunner has taken steps to better inform poll workers and voters about the Ohio ID law, our past experiences in the general elections and even the recent primaries have shown that not all poll workers are adequately trained or simply do not appropriately enforce these requirements. Hence, this is another area in which our EP poll monitors will be providing assistance

15. The Brennan Center For Justice, "*Machinery of Democracy: Voting System Security, Accessibility, Usability, and Cost*," available at [http://brennan.3cdn.net/cb325689a9bbe2930e\\_0am6b09p4.pdf](http://brennan.3cdn.net/cb325689a9bbe2930e_0am6b09p4.pdf)

16. After the August special election, PFAWF sent a letter to Ohio's Secretary of State Kenneth Blackwell asking that he clarify the voter ID laws by issuing a directive to election officials that voters with a valid driver's license or state ID that has an old address can vote by regular ballot. Later, an Ohio homeless coalition filed a lawsuit in an Ohio federal court, contending that the state's voter ID requirements were vague and confusing. Prior to the November 2006 election, Secretary of State Kenneth Blackwell entered into a consent order agreeing to clarify the state's voter ID rules. The order made clear that, among other things, voters presenting valid drivers' licenses with either a former address could vote by regular ballot, and voters presenting a military IDs that did not have their current addresses could vote by provisional ballot by providing the last four digits of their social security numbers.

to voters at the polls so that they are able to cast a regular ballot and have that ballot counted on Election Day.

### DECEPTIVE PRACTICES AND INTIMIDATION TACTICS

In 2004, voters repeatedly complained about misinformation campaigns via flyers or phone calls encouraging them to vote on a day other than November 2, 2004 or of false information regarding their right to vote.<sup>17</sup>

In particular, in Ohio, some voters complained of poll workers racially profiling African-American voters by asking them for ID and not doing the same for other voters. In 2006 and in the recent primaries, we have also received complaints through the EP Hotline regarding intimidating police presence at or near polling locations. While we are hopeful that such tactics will not occur during this upcoming primary, we will still be diligent in preparing our Election Protection poll monitors for any potential abuses.<sup>18</sup>

## CONCLUSION

SOME BASIC CHANGES CAN BE MADE IN TIME FOR THE November general elections. People For the American Way and People For the American Way Foundation (PFAW/F) and our allies will be working over the next months to help prepare election administrators for the November elections, which are predicted to bring out a record number of voters. Already, we have witnessed this occurrence in the recent primaries. PFAW/F encourage positive, proactive changes, including establishing uniform standards for counting provisional ballots, an increase in the number of effectively trained poll workers—while making a concerted effort to recruit

younger poll workers—increased voting day resources (i.e. more emergency ballots, etc.), more educational outreach to voters about the types of voter identification needed, and passage and enforcement of legislation preventing deceptive practices and voter suppression schemes. While these initial recommendations are not all encompassing, they represent realistic goals that we can all work toward achieving in time for the November 2008 Presidential election. We look forward to working with our allies from all sectors in the community to protect the rights of all voters at the polls.

17. In Ross County, Ohio a voter received an unidentified phone call from someone telling him to vote at an incorrect location instead of his usual polling place. We confirmed the correct place to vote. [www.electionawareness.org](http://www.electionawareness.org), incident 698.

18. In Hamilton County, Ohio, poll monitors observed unusual police activity at the Evanston Community Center on Election Day. Reports included a wreck and a regular meeting with community leaders that officers were involved in. Cruisers were sighted out front with lights flashing. Another arrived and an officer entered the building. He was later located inside the building, nowhere near the voting. When the poll monitor explained that some voters were uncomfortable with his cruiser out front, he volunteered to move his car. [www.electionawareness.org](http://www.electionawareness.org), incident 5812 Also 5735, 5742

## BACKGROUND ON THE ELECTION PROTECTION PROGRAM

OVER THE LAST SEVEN YEARS, PEOPLE FOR THE American Way Foundation, as part of the Election Protection coalition, has worked to protect the vote across the country with the 1-866-OUR-VOTE hotline and the development of MyPollingPlace.com, providing voters across the country free legal and general assistance leading up to and on Election Day. Since its inception, the Election Protection program (EP) – led by People For the American Way Foundation, the NAACP and the Lawyers' Committee for Civil Rights Under Law, has become the largest non-partisan voter protection effort in the country. Over the years, the Election Protection coalition has mobilized and trained over 35,000 volunteers. During the 2004 election cycle, EP mobilized 25,000 trained volunteers, including 8,000 legal volunteers, who were recruited to monitor polling places, educate voters, facilitate a dialogue with local and state election officials, provide legal support to poll monitors and answer the voter assistance hotline, which received over 200,000 calls from voters in all 50 states. In addition to direct services to voters, the Election Protection coalition successfully collected over 45,000 incidents documenting the myriad of problems inherent in our electoral system, and PFAWF received over six million hits to our polling place indicator MyPollingPlace.com.

In 2006, the EP Coalition identified approximately 2300 precincts in 16 target states with the greatest need for Election Protection. For EP 2006, PFAWF focused our field work to cover communities where we had been actively engaged in voter registration throughout the year. With the continued use of the EP Hotline (1-866-OUR VOTE), EP 2006 was able to assist communities across the country beyond where we had ground operations. In 2006, PFAWF worked with the Louisiana Voting Rights Network and the NAACP Legal Defense and Educational Fund to help protect the rights of New Orleans voters in their city's municipal elections. We helped displaced voters request and cast absentee ballots, urged the Secretary of State to make administrative changes to make sure more absentee ballots would be counted, and supported on-the-ground activities on Election Day. Volunteers and coalition lawyers helped voters identify their polling places (many of which had been moved), made sure voters without identification were able to cast ballots, worked with election commissioners to make sure voters were not turned away and got police to move away from polling sites.